

REMARKS/ARGUMENTS

Introductory Comments

This Amendment is submitted in response to the February 6, 2004 Office Action issued in connection with the above-identified patent application. Claims 1 and 3 have been amended as shown above. Upon entry of this Amendment, the pending claims will be currently amended independent apparatus claim 1, with claim 2, amended claim 3, and claim 4 depending therefrom. No new matter has been added. It is respectfully requested that the Examiner review and consider the foregoing claim amendments in view of the following remarks.

Brief Discussion of the Specific Embodiment of the Invention

FIG. 1 of the subject application is referred to herein exclusively for its showing of an exemplary embodiment as a matter of convenience in assisting the Examiner as part of this brief discussion, but it is not to be understood as in any way limiting the scope of the claims.

The subject invention is directed to an apparatus for producing a tire reinforcement from a single "thread" of material by using an oscillating arm 31 that oscillates about a geometrical axis of rotation 31R. The oscillating arm causes movement of a thread guiding member, having an orifice 6 for dispensing the thread, to pass over a "form" (such as a tire core 1) in order to apply the thread to the form. The oscillating arm moves the thread along a path ending on each side of the tire core 1 so that a pair of pressers 2, one being positioned at each path end, secures the thread in position to the tire core. As shown in FIG. 1, the oscillating arm includes an intermediate part 31I which is positioned substantially parallel to the axis of rotation 31R, and from which a spout extends for supporting the guiding member. The spout extends inwardly from the laterally positioned end of the oscillating arm toward the form.

Some of the features recited in amended claim 1 are listed below so that they can be conveniently referred to in the ensuing discussion.

1. a solid oscillating arm
2. The solid oscillating arm moves in an arcuate path and supports, at an end thereof, a guiding member in which the thread can slide freely.
3. An end of the oscillating arm supports the guiding member, and moves in an arcuate path positioned laterally of the form.
4. The guiding member proceed in its cycles without substantially coming into contact with the form
5. The oscillating arm having a spout extending from the laterally positioned end thereof inwardly towards the form, with this spout directly supporting the guiding member.

Rejection Under 35 U.S.C. 112 Has Been Overcome

Turning now to the Office Action, claim 3 has been rejected as indefinite under 35 U.S.C. §112, second paragraph. Specifically, the Examiner advised that there is no antecedent basis for "the base of the oscillating arm" in line 1 of claim 3. In response, applicant has amended claim 3 to change "the base" to "a base of the oscillating arm, located at an end of said oscillating arm opposite said end thereof supporting said guiding member". This amendment to claim 3 overcomes the Examiner's indefiniteness rejection.

Claimed Invention is Allowable Over Prior Art

Turning now to the merits, claims 1-4 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by EP 962304 ("EP '304"). For the following reasons, applicant respectfully requests reconsideration and withdrawal of this rejection.

EP '304 discloses two embodiments of a feed mechanism for applying a cord (e.g. a thread) to a tire core. The first embodiment is depicted as feed mechanism 5 in FIG. 1 and includes a bent arm 17 rotatable about its axis by a gear 19. A distal end of the arm supports a thread passage 21 and a pair of rollers 23 which are oriented to travel about a meridian of the core 1 for dispensing the thread along the meridian so that the thread can be pressed into place by a pair of press mechanisms 7. When in operation, the oscillation of the arm via gear 19 causes the passage 21 to move across and on either side of the form, to and fro, to position the thread at the path ends for engagement by the press mechanisms 7.

As is readily ascertained from the feed mechanism of FIG. 1, it does depict a solid oscillating arm that arm moves in an arcuate path and supports, at an end thereof, a guiding member in which the thread can slide freely. One might even argue that the end of the oscillating arm which supports the guiding member moves in an arcuate path positioned laterally of the form. It may even be that the guiding member proceeds in its cycles without substantially coming into contact with the form. However, it is indisputable that the oscillating arm of this embodiment in EP '304 DOES NOT have a spout extending from the laterally positioned end thereof inwardly towards the form, with this spout directly supporting the guiding member. There is not even a hint of such an arrangement in connection with this embodiment of the reference. Accordingly, claim 1 as amended herein is certainly not anticipated by the Fig. 1 embodiment of EP '304 under 35 USC 102. Moreover, this reference contains no teaching,

suggestion or motivation for modifying this embodiment thereof to include such a feature of the present claimed invention. Thus, claim 1 is clearly unobvious thereover under 35 USC 103.

The feed mechanism 31 depicted in FIG. 5 of EP '304 shows an arm 35 rotatable at one end in a spherical bearing 33 and, at its other end, supports a passage 37 through which the thread is fed about a periphery of the core 1 between two rollers 49. In this embodiment, the arm 35 is secured in a slot 41A formed in a yoke and is moveable within a cam groove 45 formed in a cam plate. This allows the arm to move from one end of the cam groove to the other for positioning the thread at the path ends on either side of the core 1 for engagement by pressers. As explained in col. 9, lines 5 to 11 and 33 to 39, a springed hinge is provided to urge guide rollers 49 "against the peripheral surface of the core 1".

As is readily ascertained from the feed mechanism of FIG. 5 of EP '304, it does not have a solid oscillating arm. Instead, as explained above, this embodiment of the EP '304 reference uses a hinged arm. Also, this embodiment does not have a guiding member that proceeds in its cycles without substantially coming into contact with the form. Instead, as explained above, this embodiment of the EP '304 reference deliberately forces rollers 49 into contact with the form. Accordingly, claim 1 as amended herein is certainly not anticipated by the Fig. 5 embodiment of EP '304 under 35 USC 102. Moreover, this reference contains no teaching, suggestion or motivation for modifying this embodiment thereof to include such featurea of the present claimed invention. Thus, claim 1 is clearly unobvious thereover under 35 USC 103.

Inasmuch as claim 1 is believed to be patentable over EP '304, claim 2, amended claim 3, and claim 4, al of which depend from claim 1, are also believed to be patentable for at least the same reasons.

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

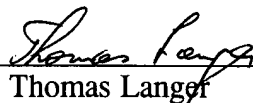
Should the Examiner have any comments, suggestions, questions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate a resolution of any such matters.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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